Harbour West Concerned Residents:

Abbotts/Development 55

Deputation
June 10, 2019
Committee of the Whole
Figure 1: Aerial photo of the subject lands proposed for development

The Abbotts’ lands in red are approximately 1 hectare (2.5 acres). The road allowances of Bay Street and Victoria, shown in green, are approximately 0.7 hectares (1.73 acres).
Harbour West Concerned Residents’ Objectives

• To participate with the Town of Blue Mountains to appropriately consider developing Abbotts/Development 55 in a manner that aligns with the Towns’ Official and Strategic Plan
• Today we would like to emphasize:
  – Plan puts roads behind and in front of 18 current homes
  – Importance of preserving of 1.7 acres of Town’s wooded canopy
  – Need for early Studies about the old dump and the Maple Leaf Gravel Pit located on the developer property
Four Season Cottage Lane Lakeshore Drive
Photo road in front of Pretty River Park
Street View of property 2015 before Abbott Purchase
July 12, 2017 clearcutting in the days following the Deputation regarding wildlife and tree preservation. Residents alerted Town Staff who had not yet marked property line.
Brief Timeline

- 2015 Abbotts purchase additional lands bringing total parcel to 2.5 acres, partial clear cutting
- 2015 Harbour West Concerned Citizen Group formed
- Aug 16, 2016 Residents report dump to Planning in email
- Feb 22, 2017 Staff Report PDS 17.13 proposal for purchase of unopened road allowance Bay Street West and Victoria Street North
- April 24, 2017 Stop Up and Close
- May 15, 2017 Watershed Trust notes “significant green space in the middle of Town” and recommends environmental assessment
- July 10, 2017 Harbour West Deputation, remaining 2.5 acres cleared on the 12 and 13. Grey Sauble representative visits property July 13 but due to 6 month limit cannot act on 2015 cutting so allowed
- Oct 16, 2017 LOFT withdraws offer to purchase property
Pre 2015 with proposed Lot Overlay
NB: Areas with no vegetation growing

Development Plan Changes
Proposed Clear Cut
Current Clear Cut Area
Continued Timeline

- Nov 15, 2017 Staff Report PDS17.103- Staff recommends **not closing up road** at this time
- Sept 10, 2018 Staff Report FAF.18.135 **request to purchase property**, Staff comments Council is “Lame Duck” so continue public engagement but make no decision recommended and carried
- Oct 22, 2018 Municipal Election, all new Council elected
- May 25, 2019 Meeting with Planning, representatives from Developer and representatives from Residents
- May 27, 2019 Special COW, LOFT Concept on Town website for Deputation, which was delayed. Shows concept of town **opening the unopened road allowances**, **not purchasing**
Long-term Impact of Current Proposal

- Potential for flooding increases as moisture absorbing trees are eliminated, could expose Town to litigation

- 1.7 acres of green space will be unavailable for other options such as drainage

- Roads and drainage will be Town’s responsibility long-term (after Developer pays for drainage mitigation and roads put in)

- Stress on Harbour West Infrastructure
Thornbury West Drainage Master Plan - Sept 2018

Areas of Notable Drainage Deficiencies

Little Beaver River Tributary Water Course

CC Tatham
Environmental Study in Advance

- Maple Leaf Gravel Pit 1925-1986
- Locals reported an unofficial dump to residents who alerted Planning by email August 16, 2016
- Residents reiterated concerns over the years at many meetings with Planning but were told the Studies happen after the proposal
- The Stop Up and Close did not recommend an Environmental study or mention the Residents report of the dump or gravel pit
- Currently a pile of large cement chunks can be seen from the road
- Bill 108 if passed is designed to streamline the process, but may reduce protection of the land and increase potential for expensive LPAT consultations
- Without an Environmental study the Residents, Town and Developer will be unaware of mitigation implications
Official Plan Conformity

- Official Plan departures occur in many areas including:
  - Character of Neighbourhood
  - Infill Development considerations including density, building form, setbacks, frontages, usable rear yards, traffic, parking
  - Minimal impact to adjacent properties circulation, privacy, grading drainage
  - Preserving and Enhancing Tree Canopy
  - Maintaining Wildlife Corridor

- These are important issues we are not fully addressing fully at this time

- If passed Bill 108 reduces protections offered by the LPAT for Official Plan Compliance

- Current zoning currently allows 2.5 acres to have 40 units. Bill 108 will allow each to have an additional unit with no development charges. The Developer's concept has 22 units. Planning and Council, rather than the zoning, will dictate how many units can be built
Next Steps

- Preserve the Cedar Canopy in the 1.7 acres of forest to the extent possible
- Environmental Study on site of old dump and Maple Leaf Gravel Pit
- Recommend Council to direct Staff to compile comments from Directors (e.g. Infrastructure and Public Works) in advance of decisions on road allowances
- Consider funding the Harbour Master Plan so Planning can place Developments within the plan for traffic, parking, green space etc
Supporting Documents
Harbour Master Plan

- Summer 2017 On The Bay Magazine, Shawn Everitt talks about the Harbour Master Plan
  - “In everything we’ve done, we’ve always identified that the waterfront is our priority, and we’ve really taken the stance that, we will try to keep them as natural as possible” - Shawn Everitt
  - Thornbury Harbour will undergo a Harbour Master Plan over the next two years, which will focus on beautifying the area surrounding the harbour as well as opportunities for additional parking and enhancements to the green space
- Residents were informed that Harbour Master Plan has been delayed due to unanticipated dredging costs
- Residents urge Council to find funding for Harbour Master Plan so that the new Development can fit into those plans
Staff Comments on opening and using the 1.7 acres as roads

- June 10, 2017 Infrastructure and Public Works Director commented to Planning in regard to Staff Report
  - “If all of Victoria St and Bay St west of Victoria road allowances are disposed of, there is the left over piece of Bay St east of Victoria to consider. It may be advantageous to close and sell this portion at the same time. The sale could be adjacent property owners to increase their rear yards, or as a whole to the adjacent condos”
- (Abutting condominium, Bayside Villas currently has an easement for garbage, recycling, visitor parking and a small basketball court)
- Request Council direct Planning to continue to consult developer and Residents to find reasonable and profitable solutions quickly

- 2018 after LOFT withdraws request to purchase Planning sent these comments via email:
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Notes copied by Kim Gardner from file may have typos.
From: Reg Russwurm
To: Denise Whaley
Cc: Jim McCannell, John Caswell, Mike Humphries, Jenny Haines, Michael Benner, Brian Worsley
Subject: RE: Request for Comments - Tammy Abbott’s proposal - unopened road
allowance (Bay/Victoria Streets)
Date: June 10, 2016
Denise,
...the comments from the IPW and can confirm that IPW in principle is not opposed to
the sale of the unopened road allowance provided:
1. A key factor in the property sale and the site arrangement be maintaining the current
drainage system on the unopened sections of Victoria and Bay Streets that crosses
Landsdowne Street North. A culvert drains into this drainage system at Huron Street
and from the adjacent condo. We'll need a replacement drainage system including an
appropriate easement if the road allowance is sold. We'll need a Drainage Plan in hand
(accepted by the Town) and likely securities as well to do the work before the sale can
be considered. Any easement width needs to include the width of the ditch and at least
4m alongside for access. The easement terms should also include the concept that
utilities may be installed within the easement just to keep that flexibility.
2. Preference that a new road not be municipal to avoid gaining another cul-de-sac.
The site dimensions may not lend itself regardless to municipal road even with the
property addition. I note that suggested site arrangement shows a 10m road allowance
so I suspect the proponent is considering the same.
3. Sale of one half of the road allowance may be a viable solution given the drainage
concerns utility corridors preferences noted above.
4. If all of Victoria St and Bay St west of Victoria road allowances are disposed of, there
is the left over piece of Bay St east of Victoria to consider. It may be advantageous to
close and sell this portion at the same time. The sale could be adjacent property
owners to increase their rear yards, or as a whole to the adjacent condo or for a building
lot if that's possible.
Please let me know if you have any questions.
Reg
Bayside Villas - Offers to purchase

In letters to Council and Planning Bayside Villas has repeatedly offered to purchase:

August 4, 2016
“we need on record our interest in purchasing both road properties”
(To Committee of the Whole and Director of Planning)

April 12, 2017
“we would be interested in acquiring it”

March 1, 2019
“Reserve our right to the possible acquisition of all or part of the road allowance”
Victoria Close - Black Tusk 2006
March 1, 2019

Town of the Blue Mountains
22 Mill Street, P.O. Box 319
THORNbury, ON N0H 1S0

Attention: Corina Giles, Town Clerk

Dear Ms. Giles:

RE: Road Altercation – Bay Street West and Victoria Street – Sept. 10, 2015 Committee Report

It has been brought to our attention that there was a letter unaddressed to your office with respect to the above-referenced road alteration by Paul Peterson of BOR Graham Partners LLP. In his letter he states that his “client has communicated with the condominium corporation on the east side of the Victoria Street road allowance and we understand that the condominium corporation has no interest in acquiring any part of the road allowance. Further, we understand that the condominium corporation will have no objection to the acquisition proposed by Timothy Abbott.”

The Board of Directors at Bayside Villas, the condominium corporation named in this letter by Paul Peterson feels that this statement is unreasonable in its succinctness.

We wish to ensure that the Committee of the Whole is made aware of this fact. What was said to Timothy Abbott’s husband, Max Halve, was that we at Bayside had no real interest in acquiring the road allowance; however, we would not object to the Abbotts acquiring it, so long as we were part of the process and agree to what they intended to do with the property and the road allowance. Max Halve committed to communicate with us but there has been no further communication since June of 2018. For the record, we are not consulted without further information being presented to us and are reserving our rights to the possible acquisition of all or part of the road allowance.

On behalf of the Board of Directors,

Mary Lynn Skeridun

c/o Sheridon Management
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